

**CITY OF NORTH MIAMI  
REGULAR COUNCIL MEETING  
SUMMARY MINUTES  
November 24, 2015**

A regular meeting of the North Miami City Council was held in the Council Chambers of City Hall on Tuesday, November 24, 2015, beginning at 7:10 pm.

(Phonetic spelling of each speaker's name may be used throughout the minutes unless correct spelling is known.)

**Note:** The actual agenda and all backup materials for each City Council meeting can be found on the website at:

[http://www.northmiamifl.gov/government/Minutes\\_Agendas/CouncilAgendaList.aspx](http://www.northmiamifl.gov/government/Minutes_Agendas/CouncilAgendaList.aspx)

**ROLL CALL**

Mayor Joseph	Here
Councilman Galvin	Here
Vice Mayor Keys	Here
Councilman Bien-Aime	Here
Councilman Desulme	Here

**PLEDGE OF ALLEGIANCE**

- Commander Angel Rivera, North Miami Police Department

**INVOCATION**

- Pastor Barbara Boyce, New Life Ministries

**ORDER OF BUSINESS (Additions/Deletions/Amendments/Deferrals)**

- TAB K – **Correction:** Sponsored by Councilman Galvin
- TAB L – Pulled from the Agenda
- TAB N – Motioned made by Councilman Galvin and seconded by Vice Mayor Keys to allow the public to speak on the City Attorney selection; **approved 4-1**. Councilman Desulme voted no.

**SPECIAL PRESENTATION(s) – None**

**CITY EVENTS – ANNOUNCEMENT – None**

Kassandra Timothe, Public Information Specialist, announced upcoming events for the City of North Miami. Ms. Timothe advised all City events can be found on the website at: [www.northmiamifl.gov/celebrate](http://www.northmiamifl.gov/celebrate).

## **CITY PROJECTS UPDATE - None**

## **HURRICANE PREPAREDNESS - None**

## **CONSENT AGENDA**

- TABS A THROUGH E

### **TAB A – PASSED - APPROVAL OF MINUTES – November 10, 2015**

**TAB B – PASSED - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, ADOPTING THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2015-2016 THROUGH 2019-2020, BASED UPON THE RECOMMENDATIONS OF THE PLANNING COMMISSION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**TAB C – PASSED - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AN AMENDMENT TO THE FISCAL YEAR 2015-2016 REVENUE AND EXPENSE BUDGET, TO INCLUDE THE RE-APPROPRIATION OF FUNDING FROM FISCAL YEAR 2014-2015, IN THE AMOUNT OF TWELVE MILLION NINE HUNDRED TWENTY-SIX THOUSAND EIGHT HUNDRED FORTY-ONE DOLLARS (\$12,926,841.00), FOR PROJECTS AND ITEMS THAT WERE NOT COMPLETED IN THE PRIOR FISCAL YEAR; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**TAB D – PASSED - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S COMPETITIVE SELECTION OF BIDERA LLC, AS THE HIGHEST RANKED FIRM TO PROVIDE PUBLIC AUCTION SERVICES FOR THE DISPOSITION OF SURPLUS ITEMS BY THE CITY, INCLUDING VEHICLES, OFFICE EQUIPMENT, FURNITURE, AND SEIZED PROPERTY; FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE PROVISION OF PUBLIC AUCTION SERVICES, WITH AN INITIAL TERM OF ONE (1) YEAR AND TWO (2) OPTIONS TO RENEW ON A YEARLY BASIS, IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE REQUEST FOR QUALIFICATION SURPLUS AUCTION SERVICES PRE-QUALIFICATION RFQ NO. 34-06-15; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**TAB E – PASSED - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO ISSUE PURCHASE ORDERS FOR A ONE (1) YEAR PERIOD IN THE AMOUNT OF NINETY THOUSAND DOLLARS (\$90,000.00) TO ALLIED UNIVERSAL CORP., FOR THE PURCHASE AND DELIVERY OF SODIUM HYPOCHLORITE, AS REQUIRED FOR THE OPERATIONS OF THE WINSON WATER TREATMENT PLANT, PIGGYBACKING THE PALM BEACH COUNTY, FLORIDA, TERM CONTRACT #11071D,**

UNDER NOTICE OF SOLICITATION #11-071/SWC – SODIUM HYPOCHLORITE, PURCHASE AND DELIVERY, TERM CONTRACT; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Vice Mayor Keys moved to approve the consent agenda, seconded by Councilman Galvin; **passed unanimously**.

## **PUBLIC HEARINGS – RESOLUTIONS, ORDINANCES, ZONING, LAND USE ITEMS, ETC.**

### **RESOLUTIONS**

**TAB F** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING THE CITY ADMINISTRATION'S COMPETITIVE SELECTION OF SOLO CONSTRUCTION & ENGINEERING CO., AS THE LOWEST-RESPONSIVE, RESPONSIBLE CONTRACTOR TO FURNISH MATERIALS, EQUIPMENT, TOOLS, MACHINERY, SUPERVISION, EXPERTISE, AND SERVICES REQUIRED FOR THE INSTALLATION OF TWO (2) TRAFFIC CIRCLES; FURTHER AUTHORIZING THE INTERIM CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE INSTALLATION OF THE TRAFFIC CIRCLES AT SELECTED LOCATIONS, IN THE AMOUNT OF TWO HUNDRED TWENTY THOUSAND THREE HUNDRED TWENTY-ONE DOLLARS AND FORTY CENTS (\$220,321.40), IN ACCORDANCE WITH THE TERMS, CONDITIONS AND SPECIFICATIONS CONTAINED IN THE INVITATION FOR BID 32' TRAFFIC CIRCLE PROJECT IFB NO. 43-07-15, AS AMENDED; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Moved for approval by Councilman Galvin and seconded by Councilman Desulme; **passed 5-0**.

**TAB G** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY OF HIALEAH GARDENS HEALTH FACILITIES AUTHORITY TO ADVANCE REFUND BONDS PREVIOUSLY ISSUED BY THE AUTHORITY AND REFINANCE HEALTH FACILITIES WITHIN THE BOUNDARIES OF NORTH MIAMI; AUTHORIZING THE INTERIM CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF HIALEAH GARDENS HEALTH FACILITIES AUTHORITY AND BROWARD COUNTY; APPROVING THE FORM OF THE INTERLOCAL AGREEMENT; APPROVING THE ISSUANCE BY THE CITY OF HIALEAH GARDENS HEALTH FACILITIES AUTHORITY OF NOT EXCEEDING \$55,000,000 CITY OF HIALEAH GARDENS HEALTH FACILITIES AUTHORITY REVENUE REFUNDING BONDS, SERIES 2015 (CATHOLIC HEALTH SERVICES OBLIGATED GROUP FACILITIES) TO PROVIDE FUNDS TO ADVANCE REFUND BONDS PREVIOUSLY ISSUED BY THE AUTHORITY AND REFINANCE VARIOUS HEALTH FACILITIES IN THE CITY OF HIALEAH GARDENS, FLORIDA, THE CITY OF NORTH MIAMI, FLORIDA, MIAMI-DADE COUNTY FLORIDA, AND BROWARD COUNTY FLORIDA; RATIFYING THE ACTIONS OF THE FINANCE

DIRECTOR IN PUBLISHING A NOTICE OF PUBLIC HEARING REGARDING THE BONDS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Moved for approval by Vice Mayor Keys and seconded by Councilman Galvin; **passed 5-0**.

**TAB H** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING AND AMENDING THE HOME ACTION PLAN TO ALLOW THE ALLOCATION OF PROGRAM INCOME RECEIVED FROM HOME INVESTMENT PARTNERSHIP FUNDS IN THE AMOUNT OF TWO HUNDRED FIFTY-SEVEN THOUSAND THREE HUNDRED THIRTY-THREE DOLLARS AND THIRTY CENTS (\$257,333.30) FOR FISCAL YEAR 2014-15 FROM THE MULTI-FAMILY REHABILITATION PROGRAM TO SINGLE-FAMILY REHABILITATION PROGRAM; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Moved for approval by Councilman Galvin and seconded by Mayor Joseph; **passed 5-0**.

## **LEGISLATIVE MATTERS**

**ORDINANCES – SECOND READING AND PUBLIC HEARING** - None

### **ORDINANCES – FIRST READING**

**TAB I** - PROPOSED ORDINANCE (SECOND READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 19 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “UTILITIES”, BY AMENDING ARTICLE IV, DIVISION 5, SPECIFICALLY AT SECTION 19-194, ENTITLED “COLLECTION OF PRO RATA COST OF EXTENSION FACILITY FROM SUBSEQUENT APPLICANTS; REFUND”, BY DELETING SAID SECTION FROM THE CODE AS INEFFECTIVE AND OBSOLETE, AND TO MITIGATE POTENTIAL FINANCIAL LIABILITY TO THE CITY; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk, read the Ordinance title for the record. Moved for approval by Vice Mayor Keys and seconded by Councilman Desulme; **passed 5-0** by roll call vote.

**TAB J** - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 2 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, ENTITLED “ADMINISTRATION”, BY AMENDING ARTICLE VI, ENTITLED “CODE OF ETHICS” AT DIVISION 1, ENTITLED “CONFLICT OF INTEREST”, TO CREATE SECTION 2-318, ESTABLISHING AND IMPLEMENTING AN HONOR CODE FOR ELECTED AND

APPOINTED CITY POSITIONS AND CITY EMPLOYEES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Moved for approval with amendments by Councilman Galvin and seconded by Vice Mayor Keys; **passed 4-1** by roll call vote. Councilman Desulme voted no.

**TAB K** - PROPOSED ORDINANCE (FIRST READING) OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING CHAPTER 29 OF THE NORTH MIAMI CODE OF ORDINANCES ENTITLED "LAND DEVELOPMENT REGULATIONS", BY AMENDING ARTICLE 3, DIVISION 6, ENTITLED "VARIANCES HEARD BY BOARD OF ADJUSTMENT," SPECIFICALLY AT SECTION 3-604 ENTITLED "ADMINISTRATIVE VARIANCES" AND AMENDING DIVISION 7, ENTITLED "APPEALS", SPECIFICALLY AT SECTION 3-702 ENTITLED "ADMINISTRATIVE APPEALS" TO EXTEND THE TIME REQUIRED FOR AN AGGRIEVED PARTY TO FILE A NOTICE OF APPEAL TO THE BOARD OF ADJUSTMENT FROM THE CURRENT TEN (10) DAYS TO THIRTY (30) DAYS, AND TO SHIFT THE COST OF SUCH AN APPEAL TO THE OWNER OF THE PROPERTY SEEKING THE BENEFITS DERIVED BY THE ISSUANCE OF AN ADMINISTRATIVE VARIANCE; PROVIDING FOR REPEAL, CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Michael Etienne, Esq., City Clerk, read the Resolution title for the record. Moved for approval with amendments by Councilman Desulme and seconded by Councilman Galvin; **passed 5-0** by roll call vote.

**QUASI-JUDICIAL ITEM(s) –**

**TAB L** - PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING A CONDITIONAL USE PERMIT, IN SUBSTANTIALLY THE ATTACHED FORM, TRANSFERRING UP TO ONE HUNDRED THIRTY-EIGHT (138) FLOATING RESIDENTIAL BONUS UNITS FROM THE NEIGHBORHOOD REDEVELOPMENT OVERLAY (NRO) DISTRICT PRIMARY RESIDENTIAL POOL OF TWO THOUSAND TWO HUNDRED (2,200) FLOATING RESIDENTIAL UNITS TO A PROPOSED MULTIFAMILY RESIDENTIAL DEVELOPMENT CONSISTING OF A TOTAL OF ONE HUNDRED NINETY-ONE (191) UNITS, INCLUDING A SEVEN (7) STORY APARTMENT COMPONENT WITH NINETY NINE (99) UNITS (ENTITLED "VERBENA") AND AN EIGHT (8) STORY ELDERLY HOUSING COMPONENT WITH NINETY TWO (92) UNITS (ENTITLED "VERBENA SENIOR RESIDENCES"), ON THE PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF NORTHEAST 135TH STREET AND NORTHEAST 6TH AVENUE, ENCOMPASSING A TOTAL OF EIGHT (8) CONTINUOUS AND ABUTTING PARCELS, IN ACCORDANCE WITH ARTICLE 4, SECTION 4-405 OF THE CITY OF NORTH MIAMI CODE OF ORDINANCES, LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

**TAB L pulled from the agenda.**

## **REQUESTS – PETITIONS – COMMUNICATIONS**

### **TAB M - DISCUSSION OF FUND RESERVE AND SOLEMIA EXPECTED REVENUES AND PLANNED EXPENDITURES.**

Councilman Desulme motioned to allocate \$1.7 million to Cagni North from the Solemia funds. Seconded by Mayor Joseph; **passed 5-0.**

### **TAB N - DISCUSSION AND DECISION REGARDING CITY ATTORNEY VACANT POSITION.**

Councilman Galvin motioned to hire Valria Screen as the North Miami City Attorney. Seconded by Councilman Desulme; **passed 3-2** by roll call vote. Councilman Bien-Aime and Vice Mayor Keys voted no.

## **CITIZENS' FORUM**

- A variety of residents spoke on issues of interest.

## **COUNCIL REPORTS**

- |                        |          |
|------------------------|----------|
| • Mayor Joseph         | Reported |
| • Councilman Galvin    | Reported |
| • Vice Mayor Keys      | Reported |
| • Councilman Bien-Aime | Reported |
| • Councilman Desulme   | Reported |

## **CITY CLERK'S REPORT**

- No reports

## **CITY ATTORNEY'S REPORT**

- Reported

## **CITY MANAGER'S REPORT**

- Reported

## **ADJOURNMENT**

- Meeting adjourned at 9:46 pm.